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Attorney Docket No.: 019801-000240US

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Jonathan B. Rothbard of 19500 Pruneridge Ave., Cupertino, CA 95014; Paul A. Wender of 930 Siskiyau Ave., Menlo Park, CA 94025; P. Leo McGrane of 110 Beacon Street, Mountain View, CA 94040; Lalitha V.S. Sista of 1333 Floyd Ave., Sunnyvale, CA 94087; Thorsten A. Kirschberg of 360 Chiquita Ave., #11, Mountain View, CA 94041; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: Compositions and Methods for Enhancing Drug Delivery  
Across and Into Ocular Tissues

Date(s) of execution of Declaration:

Filing Date: February 25, 2002

Application No.: 10/083,960; and

WHEREAS, CellGate, Inc., located at 552 Del Ray Ave., Sunnyvale, CA, 94086, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.


Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

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IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

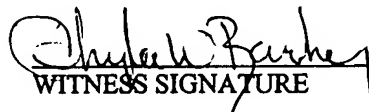
Dated: June 7, 2002

Jonathan B. Rothbard  
Jonathan B. Rothbard

  
WITNESS SIGNATURE  
PAULA GREENE  
WITNESS PRINTED NAME


Dated: 06/10/02

Paul Wender  
Paul A. Wender

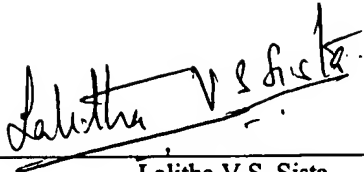
  
WITNESS SIGNATURE  
Shyla W. Barker  
WITNESS PRINTED NAME

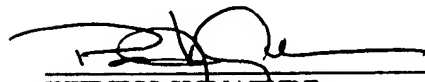
Dated: 6-7-2002

P. Leo McGrane  
P. Leo McGrane

  
WITNESS SIGNATURE  
PAULA GREENE  
WITNESS PRINTED NAME


Dated: 6/7/2002

  
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Lalitha V.S. Sista

  
\_\_\_\_\_  
WITNESS SIGNATURE  
PAULA GREENE  
\_\_\_\_\_  
WITNESS PRINTED NAME

Dated: 06-07-2002

  
\_\_\_\_\_  
Thorsten A. Kirschberg

  
\_\_\_\_\_  
WITNESS SIGNATURE  
PAULA GREENE  
\_\_\_\_\_  
WITNESS PRINTED NAME



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Attorney Docket No. 019801 000240US

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Jonathan B. Rothbard, Paul A. Wender, P. Leo McGrane, Lalitha V.S. Sista, Thorsten A Kirschberg

Application No./Patent No.: 10/083,960 Filed/Issue Date: 02/25/02

Entitled: Compositions and Methods for Enhancing Drug Delivery Across and into Ocular Tissues

CellGate, Inc. a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

June 7, 2002  
Date

Edward F. Schnipper  
Typed or printed name

[Signature]  
Signature

President & CEO  
Title